

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JAMES F. SULLIVAN,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 05-1411
	)	
JAMES WYNDER, Superintendent S.C.I.	)	Judge Hardiman
Dallas, THE DISTRICT ATTORNEY OF	)	Magistrate Judge Hay
FAYETTE COUNTY, PA STATE	)	
ATTORNEY GENERAL,	)	
	)	
Respondents.	)	

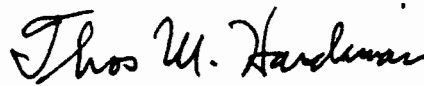
**ORDER**

AND NOW, this 12<sup>th</sup> day of May, 2006, after the Petitioner, James F. Sullivan, filed an action in the above-captioned case, and after a motion seeking permanent injunction from transferring pending habeas corpus proceedings was submitted by the Petitioner, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the motion seeking permanent injunction from transferring pending habeas corpus proceedings pursuant to Rule 23 Fed.R.App.P. is DENIED;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the petitioner desires to appeal from this Order he must do so within

thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

Handwritten signature of Thomas M. Hardman in black ink.

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THOMAS M. HARDMAN  
United States District Judge

cc: Honorable Amy Reynolds Hay  
United States Magistrate Judge

JAMES F. SULLIVAN  
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